Supreme Court, U.S.
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No. 08-7[illegible]

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In The

Supreme Court of The United States

Maria del Socorro Quiroz Arratia.

Petitioner

vs.

Michael B. Mukasey,
Attorney General

Respondent

On Petition For Writ Of Certiorari
To The United States Court of Appeals
For The Ninth Circuit

PETITION FOR WRIT OF CERTIORARI

Maria del Socorro Quiroz
Arratia, Petitioner
203 E. Central Ave. B
Santa Ana, CA 92707
714-654-0533

==========

QUESTIONS PRESENTED FOR REVIEW

The U.S. Supreme Court let stand the circuit holding in Henderson v. INS. 157 F. 3rd (2nd Cir.. 1998) where the court agreed with the government that 1996 amendments significantly circumscribed the scope of review. The court stated that, "precisely because review has been reduced to that which had remained constitutionally mandated for nearly a century despite the existence of the early statutes, we disagree with the governments contention that the courts are without power to review the Attorney Generals interpretation of the Immigration laws."

Whether the lower court, erroneously failed to - recognize a claim of review request for relief from removal in this hardship case, because the only responsible for the survival of a U.S. citizen is the petitioner who suffer epilepsy that according with her specialist she will need treatment for the rest of her life.

All parties appear in the caption of the case on the cover page.

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PETITION FOR WRIT OF CERTIORARI

Petitioner, Maria del Socorro Quiroz Arratia, respectfully prays that a writ of certiorari issue to review The judgment below.

OPINIONS BELOW

In January 31, 2007 the Honorable Immigration judge Richard D. Walton denied the case for cancellation under Section(A)(b)(1), withholding of removal was withdrawn.

The decision of the Board of Immigration Appeals ("BIA") dated April 10, 2008 dismissing her appeal of the Immigration Judge's denial of Cancellation of Removal.

JURISDICTION

The petitioner has failed to raise a colorable constitutional or legal claim to invoke jurisdiction over her petition for review. Accordingly, the United States Court of Appeals for the Ninth Circuit dismisses her petition for review for lack of jurisdiction.

STATEMENT OF THE CASE

The appellant, Ms. Quiroz is a 39 year-old Mexican female citizen of Mexico. The appellant, Ms. Quiroz has a USC son, Jerry Quiroz who was born on April l6, 1997 in Orange, California.

The appellant and her son (12 year USC child) have lived together since the USC child was born. The USC child's biological father has abandoned the appellant and the child since the birth has not supported either of them. The absentee father has not been in contact with the appellant or the child to this present day. The appellant last arrived at the United States on November, 1991 without inspection through San Ysidro, California. The main reason because the appellant came to U.S. was medical, she is been suffer with epilepsy for 26 years, and at the beginning of her condition was extremely critical and she has no control on her seizures. When she arrive to this country she is been on treatment and this time is under control but she has to be on treatment for the rest of her life.

The appellant suffer from this illness and credible evidence that her son is also at risk to being inflicted with it.

REASONS FOR GRANTING THE WRIT

The appellant, Ms. Quiroz has met the requirements under §240A(b)(1) of the INA by the following:

1.- Stop her treatment and medication could be extremely dangerous for the health of the petitioner, if she's on Mexico without a job and insurance to cover her expenses on medication and treatment.

2.- Being physically present in the U.S. for continuous period of not less than 10 years preceding the date of application. The appellant has been present in the U.S. for over 16 years.

3.- The appellant is a person of good moral character and has maintained this standard.

4.- The appellant has not been convicted of an offense under § 212(a)(2), 237(a)(2), or 237(a)(3).

5.- The appellant has established that removal would result in exceptional and extremely unusual hardship to her USC child.

CONCLUSION

Petitioner prays that the Honorable Supreme Court grant a writ of certiorari, above all the interest of the United States citizen the petitioner son is at stake in this case

Respectfully submitted,

Maria del Socorro Quiroz Arratia
Petitioner.
203 E. Central Ave. B
Santa Ana, CA 92707
(714)654-0533

Date: March 30, 2009.

App. 1

IMMIGRATION COURT

LOS ANGELES, CA 90014

Submitted August 20, 2003

Decided January 31, 2007

Before

Hon. RICHARD D. WALTON, Immigration Judge

No. 08-71822

Agency No. A096-050-146

In the matter of

MARIA DEL SOCORRO QUIROZ ARRATIA

Respondent In removal proceedings

Order of Immigration Judge

Respondent's application for voluntary departure was granted until March 2, 2007, upon posting a bond in the amount of $500.00 with an alternate order of removal to Mexico.

Asylum was withdrawn.

Withholding of removal was withdrawn.

Cancellation under Section 240(A)(b)(1) was denied.

UNITED STATES DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS
FALLS CHURCH, VIRGINIA

In the matter of	File No. 96 050 146
	Appeal not appropriate
QUIROZ ARRATIA,	for affirmance (AWO)
MARIA DEL SOCORRO	without opinion,8C.F.R
	§ 1003.1 (a) (7) and
Appellant/Respondent	summary brief in support
Removal proceeding	of appellants's appeal
	With request for stay of
	Removal.

SUMMARY BRIEF OF GROUNDS FOR APPEAL OF THEORDER OF REMOVAL BY THE IMMIGRATION JUDGE

The Board of Immigration Appeals, hereinafter referred to as the Board, is requested to incorporate by reference the following Summary Appeal Brief, all supporting documents, all exhibits and any other papers in support of this appeal. The appellant also request a remand or grant of her application for Cancellation of Removal pursuant to INA §240A(b)(1).

The appellant request that she not be removed to the country of Mexico pending this appeal and allowed a Stay of Removal of such Order of the Immigration Judge, hereinafter referred to as IJ.

I.

STATEMENT OF THE CASE

At the merits hearing the appellant presented evidence to the court demonstrating her qualifications pursuant to INA § 240A(b)(1). The appellant testified and offered evidence to support her claim for relief based upon exceptional and extremely unusual hardship to her United States Citizen child.

II.

STATEMENT OF FACTS

The appellant, Ms. Quiroz is a 37 years old Mexican female citizen of Mexico. The appellant, Ms. Quiroz has a USC son, Jerry Quiroz who was born on April 16, 1997 in Orange, California.

The appellant and her son (9 year USC child) have lived together since the USC child was born. The USC child's biological father has abandoned the appellant and the child since the birth and has not supported either of them. The absentee father has not been in contact with the appellant or the child to this day

The appellant last arrived at the United States on November, 1991 without inspection through San Ysidro, California. The appellant filed and application for Cancellation of Removal on August 20, 2003, which is the basis for the proceedings.

III.

SUMMARY OF PROCEEDINGS

The case on the merits was concluded on January 31, 2007. At the hearing, the appellant testified among other things that her USC son would suffer exceptional and extremely unusual hardship if she were removed to the Country of Mexico. The appellant's son has been to Mexico on one occasion to visit his grandmother, he was not comfortable and was happy when he returned to the U.S. Evidence was offered into court supporting the issue of hardship and the potential of the son to develop epilepsy as his mother. The mother is currently receiving medications on a daily basis for her epileptic condition.

The appellant testified to her experience in Mexico and how she has became acclimated (see Mater of O-J-O, 21 I&N Dec. 381 (BIA 1996) to the U.S> and how she and her son will suffer economically and culturally if she was ordered removed See Urbina-Osejo v INS,

124 F 3d 1314,1318 (9th Cir. 1997). The appellant is a practicing Catholic and participates in her local church. See Salameda v. INS, 70 F 3d 447, 450 (7th Cir. 1995).

The appellant has submitted all relevant supporting document that she was able to obtain with the IJ and has served the same with de Department of Homeland Security, (hereinafter referred to as the Government).

The testimony of the appellant was offered into evidence and she was subjected to cross-examination by the Government and further questioned by the IJ. The IJ rendered a decision on that date denying her application for relief under the Cancellation of Removal provisions. The appellant was granted Voluntary Departure pursuant to INA §240B and posted a $500.00 within the five business days of the hearing.

IV.

APPEAL RAISES SUBSTANTIAL LEGAL ISSUES REGARDNG FAILURE TO GRANT CANCELLATION OF REMOVAL BASED ON A STRICTER STANDARD BY THE IJ

The IJ failed to consider the Matter of Monreal, 23 I&N Dec. 56 (BIA 2001), wherein the case needs only to show exceptional and extremely unusual hardship

not hardship that is unconscionable, see Matter of Ching. 12 I&N Dec 710 (BIA 1968). The IJ has applied the narrow scope of H.R. Conf. Rep. 104-828, 104th Cong. 2d sess (1996); however the IJ misapplied the criteria of hardship to the appellant. The IJ failed to apply an instructive approach of the statute as it relates to other persons in contradiction to the Matter of Monreal, cited above.

The IJ did not factor in the age of the USC child as well as the age of the appellant, nor ded he factor in the relationship of the LPR spouse of the appellant. The appellant length of residency in the U>S> as well as the psychological and medical conditions that can result from severe stress of being forced to leave a community and supportive friends and family. See Mater of Anderson, 16 I&N Dec. 596 (BIA 1978).

V.

APPEAL RAISES NOVEL FACTUAL ISSUES REGARDING RELEVANT FACTORS NOT TAKEN IN THE AGGREGATE IN DETERMINING WHETHER OR NOT EXTREME HARDSHIP EXIST.

Despite the prima facie quealifications of the appellant, the IJ did not give merit to her responses and quantified them as not rising to the level

prescribed in §240A(b)(1) of the Act. However, the factors should have been taken in the aggregate to be considered as meeting the extreme hardship provision of the statute, see Matter of Ige, 20 I&N Dec. 880,882 (BIA 1994).

The IJ did not look at the substantial educational, economic, emotional and other factors in determining the threshold question, see Matter of Pilch, 21 I&N Dec. 627 (BIA 1996) Moreover, the IJ did not factor in the extreme hardship for the 9 year-old USC son as cited in Matter of Kao & Lin, 23 I&N Dec. 45, 51 (BIA 2001), where the absence of corroborating testimony and document resulted in the grant by the IJ for a 15 year-old USC daughter as sufficient for meeting the standard. Failure to consider hardship to the 9 year-old USC son is in itself reversible error, see Ramos v. INS, 695 F. 2d 181 (5th Cir. 1983); Mejia-Carrillo v INS. 656 F. 2d 520 (6th Cir. 1981); Cerrillo-Perez v. INS, 809 F. 2d 1419 (9th Cir. 1987).

VI

ERROR BY THE ij MADE AT HEARING WERE MATERIAL AND SIGNIFICANT

Respectfully, the IJ erred as a matter of law and fact in refusing to grant Cancellation of Removal.

Ignoring the economic factors also raised serious issues regarding the applicability of hardship to the family unit. Especially the fact that the appellant would be required to purchase prescriptions for her epileptic condition and no job is currently available for her in Mexico nor is there a strong possibility for her to obtain medical insurance to help defray the costs of the prescriptions which are over a hundred dollars a month. See Urban v. INS, 123 F 3d 644, 648 (7th Cir. 1997) Carrette-Michael v. INS, 749 F.2d 490 (8th Cir. 1984). The IJ failed to consider the psychological problems expected to be impressed upon the appellant as the sole bread winner because it frustrates the person's life plan to support her son. See Tukhowinich v. INS, 641 F. 3d 460 (9th Cir. 1995).

No weight was given to this Exhibit entitled, Psychiatric Evaluation Report dated November 29, 2004 on behalf of the 9 year old USC son specifically, page one of the report and page 239 of Group Exhibit A-E in part, "...this would cause an anxiety disorder for Jerry Quiroz." It is well settled law that psychological information must be considered, see Ravancho v. INS< 658 F 2d 169 (3d Cir. 1981). The report states that psychological maladies may manifest themselves in physical ailments.

Based upon the above report, medical hardship should have been considered in this case, see Biggs v. INS, 55 F. 3d 1398 (9th Cir. 1995). Since the appellant has demonstrated prima facie, showing of medical hardship it was an abuse of discretion for the IJ to preclude a further development in the record, see Biggs v. INS, cited above.

VII.

THE DECISION OF THE IJ WAS INCORRECCT AS A MATTER OF LAW

The IJ erred in basing the more stringent standard of extreme and unusual hardship because evidence was clear and concise based both upon the documents submitted and on the appellant's testimony. The testimony of the appellant was consistent with the detail set forth in her application for Cancellation of Removal. Submission of her supplemental documents, in particular, the medical reports of herself and her son evidenced the added hardship element to her case in chief. In other words, the main focus was on the only qualifying relative, herself and not to the 9 year-old son. No consideration was give to the appellant's hardship she will face in dealing with her epileptic condition and how it will manifest to her USC son.

If the appellant is ordered to leave the U.S. and go back to her country of birth (Mexico). Therefore, the IJ did not give careful and individualized consideration to the hardship issue regarding the USC son, see Ordonez v. INS, 137 F. 3d 1120 (9th Cir. 1998). The court can only consider factors which can be taken into account and cannot ignore factors which must be taken into account, see Rodriguez-Lariz v. INS, 282 G 3f 1218,1227 (9th Cir. 2002). This will be developed when the transcript is available for citations and reference.

VIII.

PRIMA FACIE QUALIFICATION FOR CANCELLATION OF REMOVAL WERE PRESENT, HOWEVER LACK OF ARTICULATION OF THE REASON FOR DENIAL OF THE APPLICATION RESULTED IN AN ABUSE OF DISCRETION

The appellant, Ms Quiroz has met the requirements under §240A(b)(1) of the INA by the following: 1)being physically present in the U.S. for continuous period of not less than 10 years preceding the date of application. The appellant has been present in the U.S. for over 16 years. 2)The appellant is a person of good moral character and has maintained this standard. 3) The appellant has not been convicted of

an offense under §212(a)(2), 237(a)(2) or 237(a)(3). And 4) the appellant has established that removal would result in exceptional and extremely unusual hardship to her USC child.

The IJ's failure to fully articulate the reasons for denying cancellation of removal constitutes abuse of discretion, see Salameda v. INS, 70 F. 3d 447 (7th Cir. 1995). And this should give rise to a grant of the relief of Cancellation or a remand to adequately consider all of the evidence no matter how insignificant the IJ may deem it to be independently when taken as an aggregate it can bolster the position of the appellant. See Matter of Ige, cited above.

CONCLUSION AND ARGUMENT RE: VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT February 12,2007

The IJ has subjected the appellant to an untenable situation of trying to adequately present her case before the Immigration Court with the added pressure having to explain why she can obtain the same medical treatment in Mexico where she has no job, no insurance and the medicine is very expensive and how that will impact the quality of life for her USC son. Further, she offered evidence and testimony of how

she first started with the epileptic seizures and how her son has similar precursor conditions. As she stated she developed these symptoms early in life but the seizures where not manifested until she was in her teens. The court has failed to factor these issues relating to the appellant's existing condition and how it will definitely affect her 9 year-old son Ignoring these factors and discrediting the submitted evidence and testimony of the appellant was detrimental to the case.

This judicial abuse in not considering the factors in the aggregate and the improper weighing of the evidence constitutes a violations of the procedures and statutes set out by congress. The IJ was applying overly strict interpretations of the law that was created for the very protection of this class of alien suffering imminent realization that they may be forced to return to their country of birth and endure hardship to their qualified relatives, and to themselves. Thus the appellant's substantive and procedural constitutional rights were violated, i. e., Due Process Clause of the Fifth Amendment of the U.S. Constitution. When the appellant receives a fair hearing by the Immigration Court then her case may be properly adjudicated in light of the above discussion. We ask that this court

Order a stay of removal and remand, reverse or grant the relief the appellant is seeking herein. Among other things, the IJ's failure to proper weight to the documents resulted in the appellant's loss of relevant supporting evidence. The IJ's decision denying the appellant's request for relief is an abuse of discretion and the denial of her Cancellation Application should be reversed. We urge the Board to grant the Cancellation of Removal application.

The appellant did not waive her right to appeal this court's decision and this Summary Brief is hereby submitted.

The appellant respectfully requests the Board to properly weigh the totality of the circumstances and her testimony, which were subjected to cross-examination along with documentation in support of her claim and grant the appellant the relief requested.

Dated: February 9, 2007.

ORDER

The petition for review to appeal the Immigration Court's decision to BIA was DENIED, on April 10, 2008.

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

MARIA DEL SOCORRO QUIROZ ARRATIA, Petitioner	Case No. 08-71822 Agency No.A096050146 Response to order to show cause why appeal should not be dismissed for lack of jurisdiction and motion to stay of removal.
v	
Michael Mukasey Attorney General, Respondent	

To the Honorable Court:

It is the contention of counsel that the appellate courts of the United States have the inherent power to review a discretionary decision to insure that proper standards were followed in the manner in which it was exercised. If not, the Statutes of Congress can become meaningless, if administrative officers have the wholly unchecked power to interpret the law and thus the will of Congress will become meaningless.

This counsel readily concedes that administrative judges have broad latitude in interpreting whether an

An alien has demonstrated that his qualifying relative has satisfied the requirement of extremely unusual and severe hardship that Section §240A(b)(1) of the Immigration and Nationality Act demands. But as five dissenters stated in the case of Hernandez-Cordero v. INS, 819 F. 2nd (5th Cir. 1987) involving the now repealed but similar relief of suspension of deportation under the former Section §244 the Immigration and Nationality Act of which will late be quoted at great length, there comes a point in which if the equities are so great to support a grant, a could should not allow by administrative flat in the dissenter's words the "ride roughshod" over the law.

Petitioner also argues that the illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), is unconstitutional because it is irrational. IIRIRA places applicants for relief, who are not NACARA elegible, tgo a much heightened standard solely based on nationality. Additionally, IIRIRA deprives the petitioner of a Constitutionally protected interest or liberty created by the Govermment in that it creates an almost impossible barrier to almost all of those who must apply under the "exceptional and extremely unusual hardship" standard while other

similarly situated applicants are almost guaranteed a grant of relief pursuant to NACARA solely based on nationality which contains provisions for a presumption of hardship.

This court found in Magana-Pizano v. INS No. 97-15678 (9th Cir. 1998) that section 1252 (INA §242) gave this court jurisdiction to hear claims involving an immigration proceeding by way of a petition for review of a final order of removal under 8 USC §1252(b). The court further held that if section 242 precludes an alien from presenting constitutional issues concerning his proposed deportation, but has no judicial remedy, this violates the Suspension Clause of the U.S. Constitution in cases where no other avenue of judicial review exists.

Moreover, the U.S. Supreme Court on March 8, 1999 let stand two circuit court decisions upholding challenges to judicial review restrictions created by the act. The U.S. Supreme Court denied certiorari in Concalves v. Reno, 144 F. 3d 110 (1st Cir 1998) which held Congress through IIRIRA and AEDPA neither explicity, nor by implication, repealed the granting of Jurisdiction in 28 USC §2241 to issue writs of Habeas Corpus. The U S Supreme Court also let stand the

circuit holding in Henderson v. INS, 157 F. 3d 105 (2nd Cir. 1998), where the Court agreed with the government that the 1996 amendments significantly circumscribed the scope of review. The court stated that "precisely because review has been reduced to that which had remained constitutionally mandated for nearly a century despite the existence of the early statutes, we disagree with the governments contention that the courts are without power to review the Attorney Generals interpretation of the immigration laws."

Before discussiong that case, some facts of this case will be reviewed. This is not a case in which the hardship claimed was merely some economic inconvenience or even some harm to the education of a United States citizen child, although both are no doubt present in this case. Rather, counsel asserts that the very survival of the family may be at risk due to the fact of a severe illness of the petitioner, and credible evidence that her son is also at risk to being inflicted with it. As this is not a brief, cousel cannot fully elucidate all the argument, but he asks the court's indulgence to state some basic facts of the case.

Even the Board of Immigration Appeals ('BIA') did not dispute that the petitioner suffers from epilepsy to

at least some degree. However,it summarily dismissed the importance of it, stating that the condition appears to be under control thankfully, that appears to true. But surely there is always the possibility that it will worsen. In fact, disrupting her treatment may in fact do that. If she must return to Mexico, she will already be faced with massive problems even apart from her illness. It would obviously be extremely difficult to find a competent clinic. Surely, it is far better that she stays with the medical providers most familiar with her condition. The suffering that she would have would reverberate on her son, as he no doubt will feel for her pain. The decision totally ignored common sense in disregarding the contention made before the Immigration Judge and repeated on appeal, that if the petitioner suffers from the condition, her son would be at least of some risk of developing it.

As noted before, the decision will quote the dissenting opinion of Hernandez-Cordero, supra. Although it is and admittedly a dissenting opinion, the fact the court did the unusual step of hearing the case, en banc, indicates that the judges of both sides felt the issue of whether relief should be granted was a very close question.

The fact that the decision was so close six in favors to five dissenters further buttresses that. Most importantly, the petitioners would be allowed to stay in the United States, as they were eligible for legalization, commonly known as the "Amnesty", under the recently passed Immigration and Reform and Control Act of 1986. Had that law not been passed, it is highly possible at least one member of the majority may have switch in favor of grant.

As this appeal has valid legal arguments and is clearly in good faith the petitioner's removal should be stayed. This petitioner is single and not in contact with the father of the child. Thus she has the task of by herself adjusting her child to a country that she has not lived in for more hand twenty years, from which she left at only 16 years of age, and while suffering from severe health problems. Her United States citizen son will suffer irreparable harm if he is removed. Indeed the very basis of this appeal is that if the petitioner son will suffer irreparable if removed. As a practical matter, as a loving mother she will be compelled to take her son to Mexico if she is removed.

The Petitioner hereby supplements the motion previously submitted to this Court to grant a stay of

removal pending the Petition for Review filed in this case. This is an immigration case whereby the Petitioner is challenging the decision of the Board of Immigration Appeals denying the petitioner request for relief from Removal. The Board of Immigration Appeals dismissed petitioner's appeal and the petitioner subsequently filed a Petition for Review of the BIA's decision.

CONCLUSION

Please grant every reasonable doubt on the question of jurisdiction in favor of the petitioner for many reasons. In the first place, she has lived in the United States as noted for more than a generation as a fine member of the community. The Department of Homeland Security raised no claim against her moral character. Thus, there is no need to hastily remove her. Secondly, her appeal is in good faith, indeed even the BIA, stated "we are not sympatric to the situation faced by the petitioner and her son", above all, the interest of a United States citizen, the petitioner's son is at stake in this case.

Counsel reiterates that administrative officers must be held to some reasonable standard in the adjudication of a case and the standard was simply not followed by either the Immigration Judge or Board

of Immigration Appeals. The facts of this case, as briefly reviewed indicates that there is at leapt a reasonable possibility that petitioner is correct in her claim and that is why in the interests of justice, this Honorable Court should exercise jurisdiction.

Dated: June 5, 2008

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MARIA DEL SOCORRO QUIROZ ARRATIA,

Petitioner

v.

MICHAEL B.MUKASEY,
Attorney General

Respondent

No. 08-71822
Agency No. A096-050-146

ORDER

Before: GOODWIN, CLIFTON and BEA, Circuit Judges.

Respondent's motion for leave to accept the late filed certified administrative record is granted.

We have review the response to the court's order to show cause, and we conclude that petitioner has failed to raise a colorable constitutional or legal claim to invoke our jurisdiction over this petition for review, see Martinez-Rosas v. Gonzalez,424 F.3d 926 (9th Cir. 2005); Torres-Aguilar v. INS,246 F. 3d 1267, 1271 (9th

Cir. 2001). Accordingly, the court dismisses this petition for review for lack of jurisdiction. See 8 U.S.C. § 1252(a)(2)(B)(i), Romero-Torres v. Ashcroft, 327 F 3d 887, 892 (9th Cir. 2003), Montero-Martinez v. Ashcroft 277 F. 3d 1137, 1144 (9th Cir. 2002).

All other pending motions are denied as moot. The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and Desta v. Ashcroft, 365 F. 3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

DISMISSED.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MARIA DEL SOCORRO QUIROZ ARRATIA
Petitioner

v.

MICHAEL B. MUKASEY
Attorney General
Respondent

No. 08-71822
Agency No.A096-050-146

MANDATE

The judgment of this Court entered 12/04/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT

Molly C. Dwyer
Clerk of Court

By:Lee-Ann Collins
Deputy Clerk

No. 08-71822

Agency No. A096-050-146

IN THE

SUPREME COURT OF THE UNITED STATES

MARIA DEL SOCORRO, QUIROZ ARRATIA — Petitioner

VS.

MICHAEL B. MUKASEY, ATTORNEY GENERAL — Respondent

PROOF OF SERVICE

I Maria del Socorro Quiroz Arratia, declare that on this date, April 06, 2009, as required by Supreme Court rule 29. I served the enclosed PETITION FOR WRIT OF CERTIORARI on each party to the above proceeding, by depositing an envelope containing the above document in the United States mail properly addressed to each of them and with first-class postage prepaid.

The names and addresses of those served are as followed:

Michael B. Mukasey
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530-0001

Solicitor General of the United States
Room 5614, Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 06, 2009

Maria del Socorro Quiroz Arratia
Petitioner